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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 WILLIAM DAVIS,

14 Defendant.
15
16

No. CR 11-0337 MMC

STIPULATION and ~~PROPOSED~~
ORDER TO CONTINUE STATUS
CONFERENCE

Date: September 7, 2011

Time: 2:30 p.m.

Court: The Honorable Maxine M.
Chesney

17
18 Undersigned counsel stipulate as follows:

- 19 1. A status conference is currently scheduled in this matter on September 7,
20 2011 at 2:30 p.m;
21 2. Undersigned counsel from the Federal Public Defender only recently
22 became counsel of record on the aforementioned case, as retained counsel
23 Randy Sue Pollack was relieved on August 25, 2011. Defense counsel
24 needs additional time to come up to speed on the case, review discovery
25 and meet with her client regarding a proposed disposition;
26 3. Undersigned government counsel has no objection to defense counsel's
27 request for additional time;
28 4. The parties jointly request October 5, 2011 as the next date before the
Court, as defense counsel will be in trial before Judge Seeborg from

September 13-September 20 and will be unavailable to attend to this case during that week;

5. The parties jointly request that the Court exclude the period of time between September 7, 2011 and October 5, 2011 under the Speedy Trial Act for effective preparation of counsel and continuity of counsel; namely, defense counsel needs more time to analyze and review the discovery in the case having only recently been appointed. Further, defense counsel is unavailable to attend to this case for a week during the excluded period, namely September 13-September 20, which provides an alternate basis to exclude time. *See* 18 U.S.C. § 3161(h)(7)(A) and (b)(iv).

IT IS SO STIPULATED.

DATED: September 6, 2011 _____/S/_____

ELIZABETH M. FALK
Assistant Federal Public Defender

DATED: September 6, 2011 _____/S/_____

CHINHAYI CADET
Assistant United States Attorney

I hereby attest that I have on file all holographic signatures indicated by a “conformed” signature (/S/) within this efiled document.

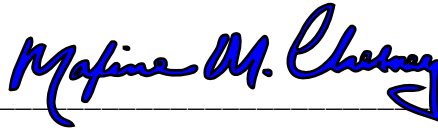
~~{PROPOSED}~~ ORDER

GOOD CAUSE APPEARING, it is hereby ORDERED that the status conference, previously scheduled for September 7, 2011 at 2:30 p.m., is hereby CONTINUED to October 5, 2011 at 2:30 p.m.. The Court further orders and finds, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and the reasons stated in this stipulation, that the failure to grant the requested continuance would deny defense counsel the reasonable time

1 necessary for effective preparation of a defense. Accordingly, the Court will exclude the
2 time period of September 7, 2011 through October 5, 2011 from the Speedy Trial
3 calculation, and finds that the ends of justice served by granting the requested four week
4 continuance outweighs the best interest in the defendant and the public in a speedy trial.
5 18 U.S.C. § 3161(h)(7)(A) and (B)(iv)

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7 IT IS SO ORDERED.

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9 DATED: __Sep. 6, 2011__



10 THE HONORABLE MAXINE M. CHESNEY
11 UNITED STATES DISTRICT JUDGE
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